



POLICY FLASH 2013-52

DATE: May 6, 2013

TO: Procurement Directors


FROM: Director
Contract and Financial Assistance Policy Division
Office of Policy
Office of Acquisition and Project Management

**SUBJECT: CONTRACTOR LEGAL MANAGEMENT
REQUIREMENTS: FINAL RULE**

SUMMARY: The Department has issued a Final Rule revising the existing contractor regulations covering contractor legal management requirements at 10 C.F.R. 719 (Federal Register May 3, 2013; <http://www.gpo.gov/fdsys/pkg/FR-2013-05-03/pdf/2013-10485.pdf>). One unusual aspect of the Final Rule is that it requires Contracting Officers to attempt to execute bilateral modifications to existing affected contracts to apply the Final Rule's revisions to those contracts. We will issue an Acquisition Letter shortly with suggested contract modification language. (The Final Rule's revisions "... are designed to clarify and streamline existing requirements, improve efficiency of contractor legal management, and facilitate oversight over the expenditure of taxpayer dollars." The contract modifications will state the revisions will only apply to costs incurred from date the bilateral modifications are executed forward. The revisions are administrative in nature. Regarding costs contractors have not yet incurred, the revisions could have been communicated to contractors without using a Final Rule to incorporate them into current contracts. Consequently, the modifications do not require equitable adjustments.)

This Flash will be available online at the following website:
<http://energy.gov/management/office-management/operational-management/procurement-and-acquisition/policy-flashes>.

Questions concerning this policy flash should be directed to Michael Righi of the Contract and Financial Assistance Policy Division, Office of Policy, Office Acquisition and Project Management at (202) 287-1337 or at Michael.Righi@hq.doe.gov.